

**CITY OF CANNON FALLS
CANNON FALLS TOWNSHIP
GOODHUE COUNTY, MINNESOTA**

RECD BY
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MAR 06 2008

RESOLUTION NUMBER 1717

**JOINT RESOLUTION FOR ORDERLY ANNEXATION OF CERTAIN
PROPERTY, KNOWN AS THE KNOWLTON PROPERTY, TO THE CITY OF
CANNON FALLS PURSUANT TO MINNESOTA STATUTES 414.0325**

WHEREAS, the City and Town desire to accommodate growth in an orderly fashion;
and

WHEREAS, the City and Town agree that the property situated in Goodhue County and
legally described on the attached Exhibit "A" is in need of orderly annexation
("Property"); and

WHEREAS, the Property abuts City property or existing areas of the City as shown on
the map(s) attached as Exhibit B, contain approximately 1.8 acres; and

WHEREAS, it is in the best interest of the City, the Township and their respective
residents for the City and Township to agree to orderly annexation of the Property in
furtherance of orderly growth, the efficient delivery of public services, and the protection
of the public health, safety, and welfare; and

WHEREAS, the City and the Township, following due notice thereof and in accordance
with Minnesota Statutes § 414.0325, conducted a joint informational meeting concerning
this proposed orderly annexation agreement on February 7, 2008; and

WHEREAS, as a result of these processes, the City and the Township are in agreement
as to the procedures and process for orderly annexation of said Property and desire to set
forth the terms and conditions of such orderly annexation by means of this Joint
Resolution for Orderly Annexation ("Joint Resolution").

**NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF
SUPERVISORS OF CANNON FALLS TOWNSHIP AND THE CITY COUNCIL
OF THE CITY OF CANNON FALLS HEREBY APPROVES THE REQUEST
FOR ANNEXATION AS FOLLOWS:**

1. **Designation of Area to be Annexed.** That as a result of the City's proposed
provision of urban services to, and urban development of the Property, the previously
described areas in Cannon Falls Township, Goodhue County, are subject to orderly
annexation pursuant to Minnesota Statutes § 414.0325, and the parties hereby designate
these areas for immediate annexation to the City under this orderly annexation
agreement.

2. **Timing of Annexation.** Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings/Municipal Boundary Adjustments (hereinafter "Office").

3. **Joint Planning.** Since the Property will be immediately annexed to the City upon adoption of this Joint Resolution and approval of the State, joint planning pursuant to M.S. § 414.0325, Subd. 5 is not warranted. The City will, upon annexation, serve as the reviewing agency and local government unit for the purpose of any land use, subdivision, and environmental review of the proposed development and the proposed development will be subject to and comply with the comprehensive plan and official controls of the City.

4. **Electrical Service and Differential Taxation.** That the annexation of the Property will not result in any change of electrical service and that differential taxation under M.S. § 414.035 is not required.

5. **City Reimbursement to Township to Annex Taxable Property.** That the City and Township hereby agree that the Order effecting the annexation shall reference the obligation of the City to reimburse the Township for lost taxes from the annexed Property as required by Minnesota Statutes § 414.036 as detailed in Exhibit C and that there are no special assessments assigned by the Township to the annexed Property or any portion of debt incurred by the Township prior to the annexation and attributable to the Property but for which no special assessments are outstanding.

6. **Filing of Joint Resolution.** Upon execution by the respective governing bodies of the City and Township, the City shall file this Joint Resolution with the Office (or its successor agency).

7. **Alteration of Boundaries Not Authorized.** That both the Township and the City agree, pursuant to M.S. § 414.0325, Subd. 1(f), that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that pursuant to M.S. § 414.0325, Subd. 1(g) no consideration by the Office is necessary, and that upon receipt of this resolution and agreement, passed and adopted by each party, the Director of the Office may review and comment but shall, within thirty (30) days, immediately order the annexation in accordance with the terms of this Joint Resolution.

8. **Correction of Errors.** In the event that there are errors, omissions or any other problems with the legal descriptions, mapping, or tax reimbursement provided in the attached Exhibits the parties agree to make such corrections and file any additional documentation, including a new Exhibit making the corrections requested or required by the Office as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

ADOPTED this 7th day of February, 2008 by the Town Board of Supervisors of Cannon Falls Township, Goodhue County.

CANNON FALLS TOWNSHIP

Keith Smiley
Chair, Town Board of Supervisors

Deborah Stark
Town Clerk.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF CANNON FALLS ON
THIS 7th DAY OF FEBRUARY, 2008.**

SIGNED:

Glenn L. Weibel
Glenn L. Weibel, Mayor

ATTEST:

Lanell Endres
Lanell Endres, Acting City Administrator

City of Cannon Falls
Motion By: Duncan
Second By: Newes
Bateson: Absent
Bauer: Aye
Duncan: Aye
Otto: Aye
Newes: Aye
Cherwinka: Aye

Cannon Falls Township
Motion By: Hendrickson
Second By: Otto
Otto: Aye
Hendrickson: Aye
Smiley: Absent

EXHIBIT "A"**Legal Description of Property****RICHARD KNOWLTON PARCEL
PARCEL ID #280190103**

That part of the Northeast Quarter of Section 19, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows:

Commencing at the southwest corner of said Northeast Quarter; thence on an assumed bearing of North 00 degrees 00 minutes 17 seconds West, along the west line of said Northeast Quarter of Section 19, a distance of 1356.40 feet to the point of beginning of the land to be described; thence South 89 degrees 30 minutes 55 seconds East, a distance of 284.39 feet; thence South 00 degrees 00 minutes 17 seconds East, a distance of 612.69 feet to the north line of the South 45.00 Acres of said Northeast Quarter; thence North 89 degrees 30 minutes 55 seconds West, along said north line, a distance of 284.39 feet to the northwest corner of said South 45.00 Acres of the Northeast Quarter; thence North 00 degrees 00 minutes 17 seconds West, along the west line of said Northeast Quarter, a distance of 612.69 feet to the point of beginning. Containing 4.00 acres, more or less.

EXCEPT that part thereof lying south and west of the following described 66 foot wide roadway:

A 66.00 foot wide roadway, drainage and utility easement over, under and across part of the Northeast Quarter of said Section 19. The centerline of said easement is described as follows:

Commencing at the southwest corner of said Northeast Quarter of Section 19; thence on an assumed bearing of North 00 degrees 00 minutes 17 seconds West, along the west line of said Northeast Quarter of Section 19, a distance of 1222.91 feet to the point of beginning of the centerline to be described; thence South 80 degrees 15 minutes 23 seconds East, a distance of 195.06 feet; thence southerly a distance of 99.71 feet along a tangential curve concave to the southwest, having a radius of 71.19 feet and a central angle of 80 degrees 15 minutes 06 seconds; thence South 00 degrees 00 minutes 17 seconds East, tangent to said curve, a distance of 378.16 feet to the north line of the south 45 acres of the Northeast Quarter of Section 19 and there terminating.

The sidelines of said easement are to be extended or shortened to terminate at the west line of the Northeast Quarter of said Section 19 and at the north line of the

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above described property. The above described property is located in Section 19,
Township 112 North, Range 17 West.

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EXHIBIT "B"

Corporate Boundary Map and More Detailed Map of Annexation Area

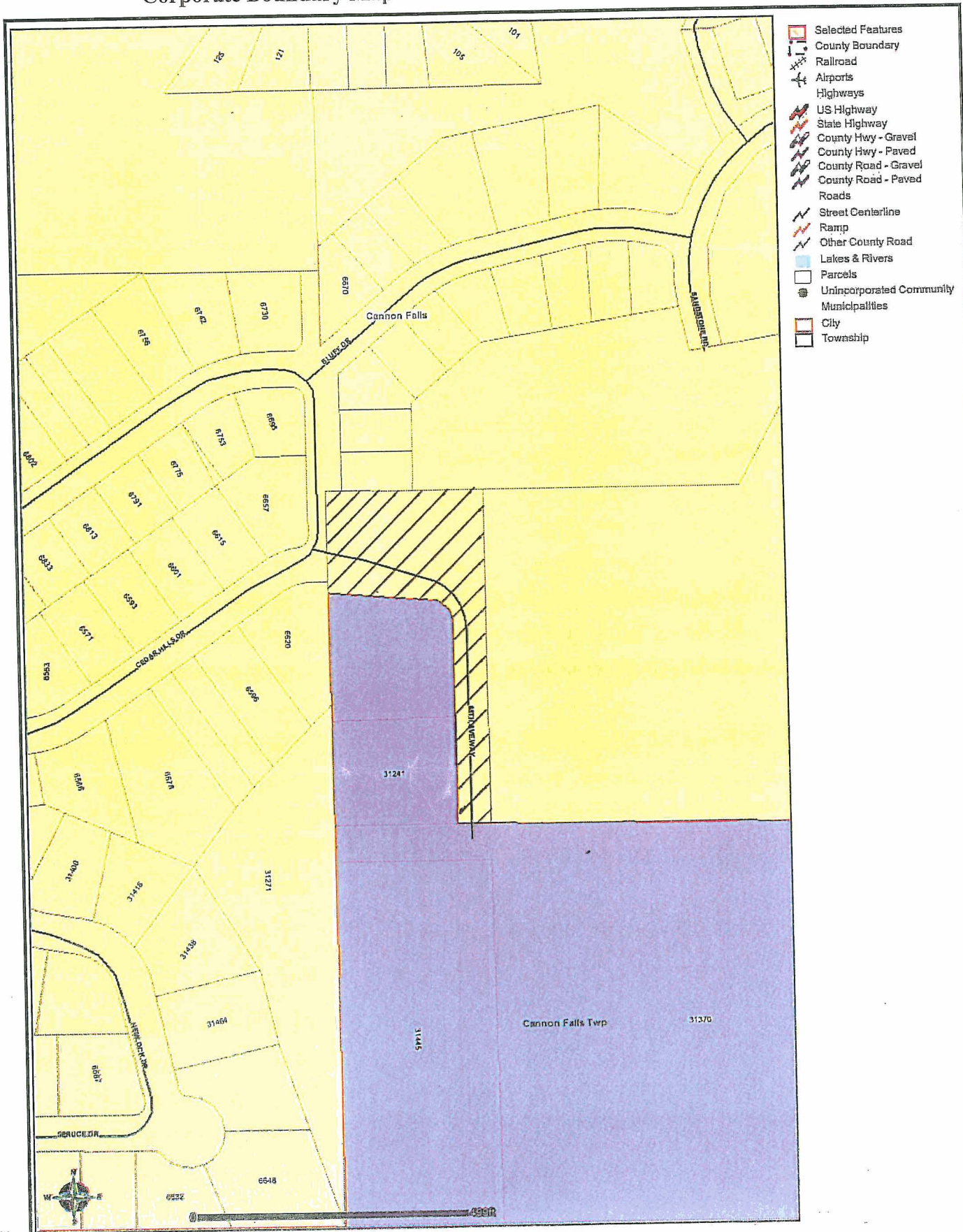


EXHIBIT "C"

City Reimbursement to Town Pursuant to M.S. § 414.036

The City and Township agree that upon annexation of the Subject Area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed for the period and in accordance with the following schedule: 1) in the first year following the year the City could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township; 2) in the second year, an amount equal to seventy (70) percent; 3) in the third year, an amount equal to fifty (50) percent; 4) in the fourth year, an amount equal to thirty (30) percent, and; 5) in the fifth and final year, an amount equal to ten (10) percent/ Thereafter, the City will no longer reimburse the Township.

Year	Current year Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1		X	90%	=			
Year 2		X	70%	=			
Year 3		X	50%	=			
Year 4		X	30%	=			
Year 5		X	10%	=			

Special Assessments - None.

Bonded Indebtedness - None.